

**TOWN OF CHARLOTTE  
SELECTBOARD MEETINGS  
January 5, 2009**

***APPROVED***

**MEMBERS PRESENT:** Charles Russell, Chairperson; Jenny Cole, Winslow Ladue, Ed Stone, Frank Thornton.

**OTHERS:** Ellie Russell, David Miskell, Nancy Wood, Gary Farnsworth, Walter Gates, Andrew Thurber, Marty Illick, Jim Donovan, Bob Hyams, Robbie Stanley, Martha Perkins.

**1. CALL TO ORDER**

Mr. Russell called the Selectboard meeting to order at 6:30 p.m.

**2. APPROVAL OF AGENDA**

Add: Approval of Thompson's Point Lease Renewal

**3. PUBLIC DISCUSSION**

None.

**4. MINUTES: 11/13/2008, 11/24/2008, 12/08/2008, 12/15/2008, 12/22/2008**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 11/13/2008 as written.**

**VOTE: 5 ayes; motion carried.**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 11/24/2008 as written, with the following corrections/additions:**

**Globally correct the name "Jack Pilla" and "Mary Lighthall";**

**Page 3, Trails, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, delete from "...which was scheduled...cycle.";**

**Page 4, 2<sup>nd</sup> motion change to read "...to authorize the Charlotte Park and Wildlife Refuge Oversight Committee Chair..." and delete the words "Fishing, Trapping".**

**VOTE: 5 ayes; motion carried.**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 12/08/2008 as written, with the following corrections:**

**Page 2, agenda #7, 1<sup>st</sup> sentence, change "Vermont Rescue" to "VELCO".**

**VOTE: 5 ayes; motion carried.**

**MOTION by Mr. Ladue, seconded by Ms. Cole, to approve the minutes of 12/15/2008 as written, with the following correction:**

**Globally correct the name "Susie Hodgson".**

**VOTE: 5 ayes; motion carried.**

**5. THOMPSON'S POINT LEASE RENEWAL APPROVAL**

**MOTION by Ms. Cole, seconded by Mr. Ladue, to approve a Thompson's Point Lease renewal for Lots 120 and 121 for Gregory S. Johnson and Geoffrey B. Johnson, and to authorize the Charlotte Selectboard Chairperson to sign the lease renewal on behalf of the Town of Charlotte.**

**VOTE: 5 ayes; motion carried.**

**6. CERTIFICATE OF HIGHWAY MILEAGE – Remove Class 4 Portion of Baldwin Road (TH 38) and Jolly Club Road (end of TH 18)**

Mr. Russell reviewed a request to correct the mileage of Jolly Club Road. The Class IV portion of Baldwin Road had already been addressed.

Walter Gates, resident, explained the location of Town Highway 18, which went all the way to the end of Jolly Club Road. The State of Vermont claims that it is a public road, which is an issue. It is a one-lane road. Cedar Beach Road goes to the Cedar Beach Association property and then it becomes Jolly Club Road.

Mr. Gates pointed out the location of the Cedar Beach Association property line on a Town Highway Map.

Mr. Thornton noted that there were two properties, Lots 15 and 16 that would be cut off from a public road if Jolly Club Road was a private road. A property could not be cut off from public access, stated Mr. Thornton.

There was further discussion regarding the location of Lots 15 and 16 in relation to Jolly Club Road; a right-of-way to Cedar Beach; where Town Highway 18 ended and a right-of-way began; and a 1951 town highway map that showed road locations.

Mr. Gates read the minutes of a 1897 Selectboard meeting, Vol. 3, page 477, with references to the road way and a survey of meets and bounds.

Following discussion the Selectboard requested that staff research an issue of land locking Lots 15 and 16, mileage of Jolly Club Road, and the road distances of the 1897 survey as noted in the 1897 minutes.

Mr. Ladue asked for staff to obtain an estimate from a surveyor for laying out the mileage from the center line of Converse Bay Road at the northwest corner of Lot 15 to the southwest corner of Lot 26 as shown on the Town Highway Map.

**7. LAND USE REGULATIONS**

Mr. Russell said that this evening's discussion of proposed Land Use Regulation amendments was not a public hearing, but a deliberation. The town would vote on complete amended Land Use Regulations on 01/21/2009.

The Selectboard reviewed a summary of proposed edits to the Land Use Regulations from the First public hearing held on 12/22/08 as follows:

- #4, Section 3.15(g)(1), the Board agreed with the proposed changes.

- #5, Section 3.17, the Board agreed with the proposed change. Mr. Ladue suggested adding a waiver for Affordable Housing. Mr. Bloch pointed out that Section 4.4 (page 42) allowed for a waiver for Affordable Housing.
- #6, Accessory Dwellings, the Board asked if it was necessary to have an attached accessory dwelling to an existing single family, or accessory structure. Ms. Cole said that she had suggested removing the word “existing” from the sentence. Following further discussion the Board removed the entire section 4.2 (a)(1)(b), and combined 2 and 3.
- #7, Section 4.2(a), was addressed via accessory dwellings allowed as a permitted use. If there were more than one bedroom then a Conditional Use was required.
- #8, Section 4.3(3)(b), the first sentence requires a Conditional Use, delete the second sentence.
- #9 through 15 were OK as written.
- #16, a format error in the heading was corrected.
- #17, formatting was corrected.
- #18, Section 7.2, Table 7.1, (see #32 and 24), the Board would defer discussion until the next meeting of the Board. Mr. Bloch reviewed an e-mail memo from Linda Hamilton regarding retention of the word “significant” and that it should be defined in both #23 and 24, and referenced in the Town Plan. Marty Illick noted a recent South Burlington court case/decision that should be reviewed so that Charlotte could avoid that situation.
- #19 through 22 were OK as written.
- There was discussion regarding floor space of an accessory dwelling. Mr. Stone spoke in favor of “footprint”. The Board would discuss wording of Section 4.18 at the next meeting of the Board.

#### **8. MANAGMENT DISCUSSION AND ANALYSIS FOR 2008 AUDIT**

The Board reviewed a proposed FY 2008 Audit as follows:

- Add “used for repaving the affected area of Ferry Road.”
- Separate the Highway fund to improve tracking of funds. There was discussion if there should be flexibility to the Highway Fund for use for other purposes (the Board spoke in opposition); Selectboard authority to bond for extraordinary purposes as per the Town vote; and a 2006 League of Cities and Towns survey on how towns use a Capital Improvement Program schedule.
- Exhibit III, replace “Reserve Balance” with “Reserve Fund Balance” and change “The Fire and Rescue Services, Inc, issues...”

**MOTION by Mr. Stone, seconded by Mr. Thornton, to approve the Management Discussion and Analysis for 2008 Audit as amended.**

**VOTE: 5 ayes; motion carried.**

#### **9. CLIENT REPRESENTATIVE LETTER FOR 2008 AUDIT**

Mr. Russell suggested changing #14 to read “There are no undisclosed liens or encumbrances...”

Ms. Wood asked for clarification regarding references to "Town's component units" (#1 and 16).

Mr. Bloch said that a Client Representative Letter for the 2008 Audit would be put on Town letterhead for Board signature.

Mr. Stone suggested that the letter be reviewed by the Town Attorney.

A motion by Mr. Stone to approve the Client Representative Letter for the 2008 Audit failed for the lack of a second. The Board would consider action on the matter at the next Board meeting.

#### **10. FY2009-2010 BUDGET**

Mr. Bloch reviewed the following:

- A memo from the Library regarding computer issues.
- Clarification was needed between what is recorded in the Grand List for the Town and what figure is sent to the State of Vermont for Education reporting purposes.
- A CLA of 101 percent was received from the state.
- Fire District language for a Town Meeting article was changed to read "...to have the Selectboard explore..." and the figure of "\$10,000" was deleted.

The Board discussed the following:

- Recreation Path increase request of \$10,000, page 6, for the State Park Road path – Mr. Stone suggested amending the language to add \$0.0025 to the tax rate to establish a Reserve Fund for Paths in place of the increase. Mr. Russell spoke in support of planning and paying for a less expensive mowed path versus spending money for a paved path. The Selectboard decided to fund the Recreation Path line item at \$5,000 and add an article to the Town Meeting warning to establish a Path/Recreation Reserve Fund. If the \$5,000 was not spent then it would be transferred to the reserve fund.
- A \$47,000 anticipated deficit was offset by \$20,000 reductions to the proposed FY2009-2010 budget.
- A final budget of \$1,807,000.

#### **11. APPROVAL OF BILLS AND WARRANTS**

The Board signed Bills and Warrants.

#### **12. ADJOURNMENT**

**MOTION by Mr. Stone, seconded by Mr. Ladue, to adjourn the meeting.**

**VOTE: 5 ayes; motion carried.**

The meeting was adjourned and the Board at 9:15 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary.

*These minutes are subject to correction by the Charlotte Selectboard. Changes, if any, will be recorded in the minutes of the next meeting of the Board.*